

EAST STAFFORDSHIRE BOROUGH COUNCIL

Minutes of a Meeting of East Staffordshire Borough Council held in the Council Chamber at the Town Hall, Burton upon Trent on Monday 13th January 2020

Present:

Councillor C Wileman (Mayor) in the Chair

Councillors	Mrs P L Ackroyd (Deputy Mayor)	S A Hussain
	G A Allen	Mrs J Jones
	Mrs B Ashcroft	Mrs J A Killoran
	E W R Barker	G Lamb
	K J Builth	Ms A J Legg
	A A Chaudhry	S McGarry
	A Clarke	S McKiernan
	M T Fitzpatrick	M Metcalfe
	D F Fletcher	B G Peters
	D Florence-Jukes	G Raybould
	D Goodfellow	S Sankey
	Mrs V Gould	M Shrive
	R G W Grosvenor	D M Spedding
	G Hall	C Sylvester
	H Hall	Mrs B Toon
	P Hudson	P Walker
		C V Whittaker

Officers Present:

The Chief Executive, the Heads of Service (Mark Rizk and Sal Khan), the Monitoring Officer, the Chief Accountant, the Corporate and Commercial Manager, the Programmes and Transformation Team Leader, the Senior Democratic Services Officer and the Principal Democratic Services Officer.

Apologies for absence were received from Councillors S Andjelkovic, Mrs B Brady, R A Faulkner and S P Gaskin.

48/20 **DECLARATIONS OF INTEREST**

There were no declarations of interest at the commencement of the meeting.

49/20 **MINUTES**

The minutes of the meeting of the Borough Council held on 24th June 2019 were approved as a correct record and signed by the Mayor.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd		E W R Barker
G Allen		
Mrs B Ashcroft		
K J Builth		
A A Chaudhry		
A Clarke		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
G Hall		
H Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
M Shrive		
D M Spedding		
C Sylvester		
Mrs B Toon		
P Walker		
C V Whittaker		
C Wileman		

The public minutes of the Extraordinary meeting of the Borough Council held on 15th July 2019 were approved as a correct record and signed by the Mayor.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd		H Hall
G Allen		
Mrs B Ashcroft		
E W R Barker		
K J Builth		

A A Chaudhry		
A Clarke		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
G Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
M Shrive		
D M Spedding		
C Sylvester		
Mrs B Toon		
P Walker		
C V Whittaker		
C Wileman		

The public minutes of the Extraordinary meeting of the Borough Council held on 16th September 2019 were approved as a correct record and signed by the Mayor.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd		A A Chaudhry
G Allen		Mrs J Jones
Mrs B Ashcroft		G Lamb
E W R Barker		B G Peters
K J Builth		D M Spedding
A Clarke		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
G Hall		

H Hall		
P Hudson		
S A Hussain		
Mrs J A Killoran		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
G Raybould		
S Sankey		
M Shrive		
C Sylvester		
Mrs B Toon		
P Walker		
C V Whittaker		
C Wileman		

50/20 **ANNOUNCEMENTS**

The Monitoring Officer read the following statement on behalf of the Standards Committee:

“I make this announcement to give effect to one of the sanctions imposed by the Standards Committee at its meeting held on Tuesday 7th January 2020. The committee met to hear a complaint against Councillor S A Hussain. Members found that Councillor S A Hussain had breached the Code of Conduct in three respects by virtue of a course of conduct towards an employee of Queen Street Community Centre. Councillor S A Hussain was found to have breached paragraph 3.1 which requires Members to treat others with respect; as well as paragraph 3.4 which states that Members must not bully any person and in addition to that Members found that taken together, the course of behaviour brought the Council into disrepute (in breach of paragraph 3.9 of the Code of Conduct). The Committee imposed two sanctions: the first was that their decision should be reported to a meeting of full Council for information and secondly, they required that their decision should be published. I have arranged for a copy of the full decision notice to be published on the Council’s website in order to meet that requirement”.

51/20 **URGENT BUSINESS**

There was no urgent business for consideration at the meeting.

52/20 **INDEPENDENT REMUNERATION PANEL SUPPLEMENTARY REPORT ON MEMBERS REMUNERATION**

The report of the Chief Executive on the recommendations of the Independent Remuneration Panel on Members Allowances was considered. Council noted the contents of Appendix 1 - A Review of Special Responsibility Allowances for Cabinet Support Members for East Staffordshire Borough Council.

The Mayor invited Dr Declan Hall (Chairman of the Independent Remuneration Panel) to present the report.

The Leader indicated that if the recommendations as set out in the report were agreed, he would appoint Councillors Mrs B Ashcroft and S McGarry to the two new posts of Cabinet Support Members.

Resolved:

- 1) That the two new posts of Cabinet Support Members be paid a Special Responsibility Allowance of £4,072;
- 2) That these posts be appointed to with immediate effect;
- 3) That the Special Responsibility Allowances for the two posts of the Cabinet Support Members be paid from the date the posts be appointed to.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd		S A Hussain
G Allen		G Lamb
Mrs B Ashcroft		M Shrive
E W R Barker		Mrs B Toon
K J Builth		P Walker
A A Chaudhry		C V Whittaker
A Clarke		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
G Hall		
H Hall		
P Hudson		
Mrs J Jones		
Mrs J A Killoran		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
D M Spedding		
C Sylvester		
C Wileman		

CONSTITUTION UPDATE

The report of the Monitoring Officer on the proposed changes to the Council's Constitution was considered. The following appendices had been circulated with the report for the meeting:

- Appendix 1: Draft Part 3Zc;
- Appendix 2: Secretary of State's Letter dated 15th October 2019;
- Appendix 3a: IHRA Working Definition of Anti-Semitism;
- Appendix 3b: APPG Definition of Islamophobia;
- Appendix 4: Draft Part 5A;
- Appendix 5: Draft Part 5B.

Councillors noted that it was proposed that Part 3Zc (Proper Officers) be amended to reflect current staffing arrangements and that Parts 5A and 5B of the Constitution be amended to include the International Holocaust Remembrance Alliance (IHRA) working definition of Anti-Semitism and the All-Party Parliamentary Group on British Muslims' Definition of Islamophobia.

It was proposed and duly seconded that
 "The Council approve the amendments to Parts 3Zc, 5A and 5B as detailed at paragraph 4 of the report".

An amendment was proposed by Councillor D Florence-Jukes and was seconded by Councillor H Hall. The amendment read as follows
 "That this Council proceeds with Section 3Zc of the proposal and disregards the proposed section 5A and 5B amendments and continues to use the definitions as defined by the Equality Act 2010":

The Mayor invited Council to debate the amendment under Rule 16 (Rules of debate).

Upon a vote being taken, the Mayor declared the amendment was lost.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
D Florence-Jukes	Mrs P L Ackroyd	S A Hussain
H Hall	G Allen	Mrs J Jones
	Mrs B Ashcroft	G Lamb
	E W R Barker	M Shrive
	K J Builth	Mrs B Toon
	A A Chaudhry	P Walker
	A Clarke	
	M T Fitzpatrick	
	D F Fletcher	
	D Goodfellow	
	Mrs V J Gould	
	R G W Grosvenor	
	G Hall	
	P Hudson	

	Mrs J A Killoran	
	Ms A J Legg	
	S McGarry	
	S McKiernan	
	M Metcalfe	
	B G Peters	
	G Raybould	
	S Sankey	
	D M Spedding	
	C Sylvester	
	C V Whittaker	
	C Wileman	

A further amendment was proposed by Councillor R G W Grosvenor and was seconded by Councillor P Hudson. The further amendment read as follows:

"Delete the recommendation as currently drafted in Section 11.1 of the report and replace with "this Council approve the amendments to Part 3Zc as detailed at paragraph 4 of the Monitoring Officer's report""

The Mayor invited Council to debate the further amendment under Rule 16 (Rules of debate).

Upon a vote being taken, the Mayor declared the further amendment was lost.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
D Florence-Jukes	Mrs P L Ackroyd	
R G W Grosvenor	G Allen	
H Hall	Mrs B Ashcroft	
Mrs J Jones	E W R Barker	
Mrs B Toon	K J Builth	
C V Whittaker	A A Chaudhry	
	A Clarke	
	M T Fitzpatrick	
	D F Fletcher	
	D Goodfellow	
	Mrs V J Gould	
	G Hall	
	P Hudson	
	S A Hussain	
	Mrs J A Killoran	
	G Lamb	
	Ms A J Legg	
	S McGarry	
	S McKiernan	
	M Metcalfe	

	B G Peters	
	G Raybould	
	S Sankey	
	M Shrive	
	D M Spedding	
	C Sylvester	
	P Walker	
	C Wileman	

Upon a vote being taken, the Mayor declared the original motion was carried.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd	D Florence-Jukes	R G W Grosvenor
G Allen	C V Whittaker	
Mrs B Ashcroft		
E W R Barker		
K J Builth		
A A Chaudhry		
A Clarke		
M T Fitzpatrick		
D F Fletcher		
D Goodfellow		
Mrs V J Gould		
G Hall		
H Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
M Shrive		
D M Spedding		
C Sylvester		
Mrs B Toon		
P Walker		
C Wileman		

54/20 **CHANGES TO COMMITTEE MEMBERSHIP**

The report of the Head of Service on the Changes to Committee Membership was considered. Appendix 1 List of Members nominated to serve on Committees and Panels (Jan 2020) had been circulated with the report.

Council noted the number of seats relating to individual Committees, as follows:

	Conservative	Labour	Independent Alliance	Total	Notes
Appeals Panel	2	1	0	3	
Audit (Statement of Accounts) Committee	10	4	2	16	
Complaints Panel	2	1	0	3	
Development Plan Committee	3	2	0	5	(This previously ran with a vacancy – the Labour group has now gained 1 seat)
Licensing Committee	10	4	1	15	
Planning Applications Committee	10	4	1	15	
Scrutiny (Audit and Value for Money Council Services) Committee	10	4	2	16	
Scrutiny (Community Regeneration, Environment and Health & Well-Being) Committee	10	4	2	16	
Senior Officer Employment Committee	3	1	1	5	
Standards Committee	3	1	1	5	
	63	26	10	99	

The Leader and the Leader of the Opposition had provided the following nominations in advance of the meeting:

- Councillor P Hudson to be appointed to serve on the Scrutiny (Community Regeneration, Environment and Health and Well-Being) Committee;
- Councillor G Raybould to no longer serve on the Licensing Committee, leaving a vacancy;
- Councillors S McGarry and Mrs B Ashcroft to no longer serve on the Scrutiny (Community Regeneration, Environment and Health and Well Being) Committee, leaving a vacancy;
- Councillor Mrs B Ashcroft to no longer serve on the Audit (Statement of Accounts) Committee and Scrutiny (Audit and Value for Money Council Services) Committee leaving a vacancy on each of these committees;

- The Labour Group seats on the Development Plan Committee, Planning Committee and Licensing Committee to remain vacant.

An amended appendix 1 List of Member nominated to serve on Committees and Panels (January 2020) is appended to these minutes.

Resolved:

- 1) That the Council agree to the number and allocation of Councillors serving on each Committee and Panel as set out in paragraph 6.2 of the report;
- 2) That, subject to the above, the Council note the nominations of the political groups to the Committees and Panels;
- 3) That, subject to the above, the Council appoint Councillors to serve on each Committee and Panel in accordance with those nominations.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd		
G Allen		
Mrs B Ashcroft		
E W R Barker		
K J Builth		
A A Chaudhry		
A Clarke		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
G Hall		
H Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
M Shrive		
D M Spedding		

C Sylvester		
Mrs B Toon		
P Walker		
C V Whittaker		
C Wileman		

55/20

APPOINTMENT OF THE CHAIRMAN OF THE SCRUTINY (COMMUNITY REGENERATION, ENVIRONMENT AND HEALTH AND WELL-BEING) COMMITTEE

Resolved:

That Councillor A Clarke be appointed Chairman of the Scrutiny (Community Regeneration, Environment and Health and Well-Being) Committee.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd		
G Allen		
Mrs B Ashcroft		
E W R Barker		
K J Builth		
A A Chaudhry		
A Clarke		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
G Hall		
H Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
M Shrive		
D M Spedding		

C Sylvester		
Mrs B Toon		
P Walker		
C V Whittaker		
C Wileman		

56/20 **MID YEAR TREASURY MANAGEMENT REPORT 2019/20**

The report of the Head of Service (Sal Khan) providing an update against the Treasury Management Strategy Statement (TMSS), setting out current investment and borrowing portfolios and outlining any other treasury related matters was considered. Appendix A: Annual Treasury Management Report had been circulated with the report.

Council noted the mid-year Treasury Management Report as set out in Appendix A.

NOTED.

57/20 **STATUTORY ANNUAL PAY POLICY STATEMENT - 2019 UPDATE**

The report of the Chief Executive on the changes to the Pay Policy Statement updated for 2018/19 was considered. Council noted the contents of Appendix 1: Pay Policy Statement with tracked changes, which had been circulated with the report.

Resolved:

That the Pay Policy Statement changes as presented be agreed.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd		
G Allen		
Mrs B Ashcroft		
E W R Barker		
K J Builth		
A A Chaudhry		
A Clarke		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
G Hall		
H Hall		
P Hudson		
S A Hussain		

Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
M Shrive		
D M Spedding		
C Sylvester		
Mrs B Toon		
P Walker		
C V Whittaker		
C Wileman		

58/20 **QUESTIONS**

No questions had been received prior to the meeting pursuant to Rule 18.

59/20 **EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:

That, in accordance with Section 100(A)(4) of the Local Government Act, 1972 the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act.

The meeting was then reconvened in public.

61/20 **NOTICE OF MOTION**

It was moved by Councillor D Goodfellow and seconded by Councillor D F Fletcher

“that pursuant to the provisions of Section 249 of the Local Government Act 1972 (as amended) the title of Honorary Alderman of the Borough of East Staffordshire be conferred upon Michael J Bowering, Ron J Clarke, Julian H Mott and Michael Rodgers in recognition of the eminent service rendered by them to the Council and the Borough and they be granted the rights and privileges attaching to the said office of Honorary Alderman as the Council may from time to time determine”.

After the proposer, seconder and other members of the Council had spoken in tribute of the nominees, upon a vote being taken, the motion was carried unanimously.

Voting concerning the above decision was as follows:

THOSE VOTING FOR THE MOTION Councillor	THOSE VOTING AGAINST	THOSE ABSTAINING
Mrs P L Ackroyd		
G Allen		
Mrs B Ashcroft		
E W R Barker		
K J Builth		
A A Chaudhry		
A Clarke		
M T Fitzpatrick		
D F Fletcher		
D Florence-Jukes		
D Goodfellow		
Mrs V J Gould		
R G W Grosvenor		
G Hall		
H Hall		
P Hudson		
S A Hussain		
Mrs J Jones		
Mrs J A Killoran		
G Lamb		
Ms A J Legg		
S McGarry		
S McKiernan		
M Metcalfe		
B G Peters		
G Raybould		
S Sankey		
M Shrive		
D M Spedding		

C Sylvester		
Mrs B Toon		
P Walker		
C V Whittaker		
C Wileman		

Alderman Michael J Bowering, Alderman Ron J Clarke, Alderman Julian H Mott and Alderman Michael Rodgers signed the Honorary Alderman Roll which was witnessed by the Mayor and the Chief Executive. The Mayor presented the Honorary Alderman Badge of Office and a framed illuminated address to each Alderman.

The Mayor suspended standing orders to allow each Alderman to respond accordingly.

Mayor